

REMARKS

A supplemental Information Disclosure Statement accompanies this Amendment along with a copy of the cited reference. The Statement makes of record a journal article by West et al. submitted in an Information Disclosure Statement on January 2, 2002 but not considered by the Examiner because a copy of the reference was not included.

New claims 9-11 are presented for prosecution.

Claims 1-11 remain pending in the application. Of these, claim 1 is currently amended.

Claims 1 and 3-6 are rejected under 35 U.S.C. §102(e) based on Zadno-Azizi et al. U.S. 6,022,336 (Zadno-Azizi '336). Claim 1 has been amended to overcome this rejection. The structure 426 of Zadno-Azizi '336 is a closed, balloon-like structure. The cited reference does not teach or suggest a structure comprising an open configuration allowing blood flow through the wall of the structure. Dependent claims 2-8 further define the subject matter of claim 1 and are therefore believed to also be allowable over the cited reference.

Claims 2, 7 and 8 are objected to. New claims 9-11 are presented in view of this indication of allowability as follows:

1. New claim 9 incorporates the subject matter of claims 1 and 2.
1. New claim 10 incorporates the subject matter of claims 1, 5 and 7.
2. New claim 11 has been amended to incorporate the subject matter of claims 1, 5 and 8.

Reconsideration in view of the foregoing amendments and remarks and allowance of claims 1-11 is respectfully requested.

Respectfully Submitted,

By Patricia A. Limbach
Patricia A. Limbach, Registration No. 50,295

RYAN KROMHOLZ & MANION, S.C.
Post Office Box 26618
Milwaukee, Wisconsin 53226
(262) 783 - 1300
21 June 2004
Customer No.: 26308
Nonamend/16102-B CIP/040621 Amend C

Enclosures: RCE Transmittal
Information Disclosure Statement
Return Postcard